

1 Steven Katz (application pending for *Pro Hac Vice*)
katz@fr.com

2 FISH & RICHARDSON P.C.
225 Franklin Street
3 Boston, Massachusetts 02110
Telephone: (617) 542-5070
4 Facsimile: (617) 542-8906

5 Tamara Fraizer (SBN 215942)
fraizer@fr.com
6 FISH & RICHARDSON P.C.
500 Arguello Street, Suite 500
7 Redwood City, California 94063
Telephone: (650) 839-5070
8 Facsimile: (650) 839-5071

9 Attorneys for Defendant
VERTICA SYSTEMS, INC.

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 (SAN FRANCISCO DIVISION)

15 SYBASE, INC., a Delaware corporation,

16 Plaintiff,

17 v.

18 VERTICA SYSTEMS, INC., a Delaware
corporation,

19 Defendant.

Case No. 09-CV-05647-MHP

**~~[PROPOSED]~~ ORDER RE VERTICA'S
MOTION TO TRANSFER VENUE TO
THE EASTERN DISTRICT OF TEXAS
PURSUANT TO 28 U.S.C. § 1404(A)**

~~Date: Monday, May 3, 2010~~

~~Time: 2:00 p.m.~~

~~Ctrm: 15, 18th Floor~~

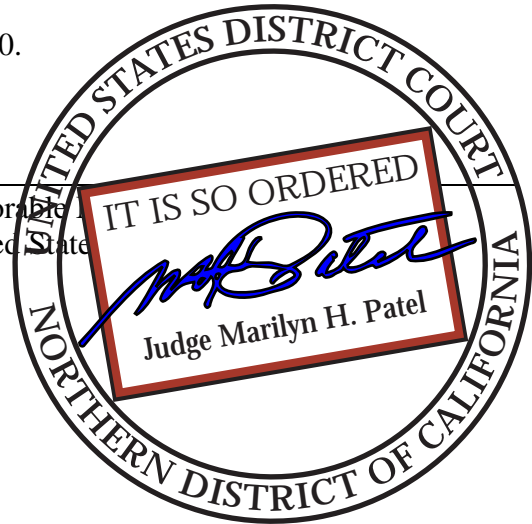
~~Judge: Hon. Marilyn H. Patel~~

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24 Defendant Vertica Systems, Inc. ("Vertica") having filed a Motion to Transfer Venue to the
25 Eastern District of Texas Pursuant to 28 U.S.C. § 1404 (A), the Court having carefully considered
26 the submissions of the parties and the relevant law and facts, IT IS HEREBY ORDERED that
27 Vertica's motion is GRANTED. **for the reasons set forth in the Statement of Reasons, made a
part of this Order at pages 3-5.**

Pursuant to 28 U.S.C. § 1404(a), this action shall be transferred to the Tyler Division of the Eastern District of Texas, before which is pending the related matter of *Sybase, Inc. v. Vertica Systems, Inc.*, Civil Action No. 6:08-cv-24[LED]. **The Clerk of Court shall transfer the file forthwith.**

So **ORDERED** this 22nd day of April, 2010.

Honorable
United States



CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 29, 2010, all counsel of record who are deemed to have consented to electronic service are being served with a copy of [PROPOSED] ORDER RE VERTICA'S MOTION TO TRANSFER VENUE TO THE EASTERN DISTRICT OF TEXAS PURSUANT TO 28 U.S.C. § 1404(A) via the Court's CM/ECF system per Local Rule 5-4 and General Order 45. Any other counsel of record will be served by First Class Mail.

/s/ Tamara Fraizer
Tamara Fraizer

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